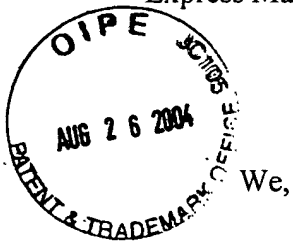


Express Mailing Label No. EV 510 293 038 US

PATENT APPLICATION  
Docket No: 15436.249.35.1

DECLARATION, POWER OF ATTORNEY, AND PETITION



Name: Jian He  
Address: 4591 Pacific Rim Highway  
San Jose, CA 95121  
Citizenship: United States

Name: Ping Xie  
Address: 10118 Crescent Road  
Cupertino, CA 95014  
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Name: Chester Chien  
Address: 6191 McAbee Road  
San Jose, CA 95120  
Citizenship: United States

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled POLARIZATION DEPENDENT LOSS LOOP for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office as Serial No. 10/693,774 on October 24, 2003; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

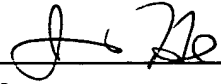
**022913**  
**Customer Number**

All correspondence and telephonic communications should be directed to:

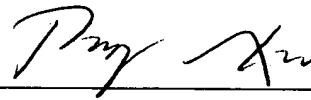
ERIC L. MASCHOFF  
**022913**  
**Customer Number**  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.


DATED this 14<sup>th</sup> day of June, 2004.

Inventor:   
Jian He

DATED this 22 day of January, 2004.

Inventor:   
Ping Xie

DATED this 21 day of January, 20    .

Inventor:   
Chester Chien